

Notice of Allowability

Application No.

10/039,992

Examiner

Christian P. Chace

Applicant(s)

QUINN ET AL.

Art Unit

2189

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 1/3/06.
2. ☒ The allowed claim(s) is/are 1-13, 15-20, 22 and 23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Response to Amendment

This Office action has been issued in response to amendment filed 3 January 2006. Examiner wishes to thank applicants for their expeditious response to examiner's request for resubmission of the instant amendment due to technological error. Claims 1-13, 15-20, and 22-23 are pending. Applicants' arguments, in light of the instant amendments to the claims, are persuasive. Accordingly, claims 1-13, 15-20, and 22-23 are allowed, and hereby renumbered 1-6, 8-14, 16-21, 7, and 15, respectively.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

With respect to independent claim 1, in the system described in the preamble which breathes life into the claim, upon encountering the cacheable portion of the classification tree, performing a lookup on the cache to compare the incoming flow with the at least one traffic class of the first classification type to determine whether the incoming flow matches one of the at least one traffic class is not taught or suggested by the cited prior art of record. Claims 2-6 and 22, now renumbered 2-7, respectively, depend upon the instant claim and are allowable for at least the reasons set forth supra with respect to same.

With respect to independent claim 7, now renumbered 8, a classification engine coupled to a memory to walk the classification tree to determine whether an incoming flow matches a traffic class in the classification tree, and, when the cacheable portion of the classification tree is encountered, to perform a lookup on the cache to determine

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whether the incoming flow matches one of the at least one traffic classes of the first classification type is not taught or suggested by the cited prior art of record. Claims 8-12, now renumbered 9-13, depend upon the instant claim and are allowable for at least the reasons set forth supra with respect to same.

With respect to independent claim 13, now renumbered 14, the classification engine performing the claimed functions is not taught or suggested by the cited prior art of record. Claim 23, now renumbered 15 depends upon the instant claim and is allowable for at least the reasons discussed supra with respect to same.

With respect to independent claim 15, now renumbered 16, creating a first data structure and a second data structure with the functionality claimed is not taught or suggested by the cited prior art of record. Claims 16-20, now renumbered 17-21 depend upon the instant claim and are allowable for at least the reasons set forth supra with respect to same.

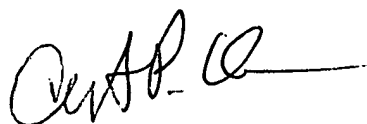
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian P. Chace whose telephone number is 571.272.4190. The examiner can normally be reached on MAXI FLEX.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on 571.272.4201. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Christian P. Chace
Primary Examiner
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